

**REMARKS**

In response to the Office Action dated September 26, 2002, Applicants respectfully request reconsideration of claim 1. The withdrawal of the previous rejection of this claim, based upon the Kim et al. patent, is noted with appreciation.

In the most recent Office Action, claim 1 was rejected under 35 U.S.C. §103, as being unpatentable over the Kim et al. patent in view of the newly-cited Anderl et al. patent. In response to Applicants' arguments, the Office Action acknowledges that the data communication device disclosed in the Kim et al. patent does not return at least one item of information to the terminal, which is a function of signals received. With reference to the Anderl et al. patent, however, the Office Action goes on to state that it is known to have a card transmit data in response to an integrity signal from a terminal. Since the communication device functions to communicate data to and from the terminal, the Office Action concludes that such responses would be returned to the terminal via the communication device.

In essence, the Office Action asserts that, if one were to employ acknowledgment signals, of the type disclosed in the Anderl et al. patent, in the system of the Kim et al. patent, the communication device of the Kim et al. patent would function as a pass-through for such messages. Such an arrangement is not the same as the present invention, however. As described in the specification, the function of the communication device of the present invention is to relieve the microprocessor of the duties normally associated with analysis of the signals received from the terminal, as well as free up memory that stores the program for conducting such analysis. See, for example, page 2, lines 12-16. Such a result is not

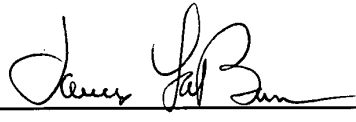
accomplished by the combination of teachings proposed in the Office Action. While the communication device may function to pass the response signals back to the terminal, the analysis of the received signals and the generation of those responses is still carried out within the card's microprocessor, rather than the communication device. In other words, in the proposed combination of references, the intelligence for determining whether to return information to the terminal, as a function of the received signals, takes place within the card. In contrast, in the present invention that intelligence resides within the communications device itself, so that the card microprocessor is free to perform other tasks.

To further clarify this distinction between the present invention and the prior art, claim 1 now recites that the communication device includes means to generate and return at least one item of information to the terminal which is a function of the signals received. In the prior art references, the generation of any such item of information takes place within the microprocessor, rather than the communication device.

For the foregoing reasons, it is respectfully submitted that all pending claims are allowable over the prior art of record. Reconsideration and withdrawal of the rejection is respectfully requested.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:   
James A. LaBarre  
Registration No. 28,632

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: Monday, January 27, 2003

**Attachment to Amendment dated January 27, 2003**

**Marked-up Copy Claim 1**

1. (Thrice Amended) A card with a microprocessor and contacts, and a communication device in the form of a hard-wired circuit disposed between the contacts and the microprocessor and operating according to an asynchronous communication protocol [with checking of] to check the integrity of signals transmitted between the microprocessor and a terminal, wherein said communication device includes means to generate and return at least one item of information to the terminal [as] which is a function of the signals received.